

FINAL BILL REPORT

Initiative-872

C 2 L 05
Synopsis as Enacted

Title: An act relating to elections and primaries.

Sponsors: People of the State of Washington.

Background: The primary election of September 14, 2004, was a partisan primary, the first such primary held in Washington since 1934. In this partisan primary, voters chose a ballot from one of the three major political parties, Republican, Democratic, or Libertarian. Each ballot contained only candidates seeking nomination as the standard-bearers for their respective party. No record was kept of the voter's choice of ballot.

Independent and minor party candidates did not participate in the 2004 primary. They appeared on the general election ballot, upon qualification, by means of a petition process.

Voters not wishing to participate in the partisan primary could vote a ballot that contained only ballot measures and nonpartisan races. Nonpartisan races were for judicial, municipal, and special purpose districts' officers.

From 1934 to 2004, the "blanket primary" was the method used for primary elections. In this system, voters chose among all candidates running for each office, irrespective of the political party affiliation of each candidate. Republican, Democratic, Libertarian, and minor party candidates all appeared on each voter's ballot.

The three major political parties won a law suit in 2004 when a federal court decided that allowing a voter to cast votes for candidates from different political parties in different races, and requiring the political parties to accept the winner of the primary as the party's standard-bearer in the general election were unconstitutional. As the result of this legal action, the legislature and the Washington State Grange both pursued alternatives to the partisan primary that was held in 2004, by means of legislation and by Initiative 872, respectively.

Summary of Initiative: Initiative 872 provides that the same primary election ballot and the same choices are available to all voters in the same jurisdiction without regard to the voter's political party preference or affiliation. Voting for any candidate for each partisan race is allowed, without regard for the candidate's political party preference or affiliation. Each candidate's political affiliation, or minor party or independent status, is indicated on the ballot. Only two candidates for each partisan office appear on the general election ballot. The potential exists for the "top two" vote-getters in the primary to be of the same political affiliation, resulting in the candidates for any given partisan office in the general election to be of the same political affiliation.

Effective Date: December 2, 2004.